

FILED *BR*
JUL 24, 2008
JUL 24 2008 MB

In the United States District Court
Northern District of Illinois

Maurice Mays
Plaintiff,

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

v.

Case No. 08cv778

City of Chicago "The City"
Officer Jason Clark

Notice of Appeal

I, Maurice Mays (plaintiff), do hereby seek to appeal the ruling of
case no. 08cv778 to the United States Court of Appeals for the Seventh District.

Respectfully Submitted,

Maurice Mays
Maurice Mays

Date: 19 July 2008

SEVENTH CIRCUIT COURT OF APPEALS INFORMATION SHEET

Include the names of all plaintiffs (petitioners) and defendants (respondents) who are parties to the appeal. Use a separate sheet if needed.

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION DOCKET NUMBER: 08cv778

PLAINTIFF (Petitioner)

v.

DEFENDANT (Respondent)

Maurice Mays (appellant)	Jason Clark (appellee)
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(Use separate sheet for additional counsel)

PETITIONER'S COUNSEL		RESPONDENT'S COUNSEL	
Name	Maurice Mays	Name	Thomas J. Platt
Firm	PRO SE #22209-424	Firm	City of Chicago, Dept. Of Law
Address	Sandstone - FCI P.O. Box 1000 Sandstone, MN 55072	Address	30 North LaSalle Street Suite 1400 Chicago, IL 60602
Phone	N/A	Phone	(312) 744-6566

Other Information			
District Judge	Gettleman	Date Filed in District Court	2/29/08
Court Reporter	J. Costales (ext 7626)	Date of Judgment	n/a
Nature of Suit Code	550	Date of Notice of Appeal	7/24/08

COUNSEL:

Appointed

☐

Retained

☐

Pro Se

☒

FEE STATUS:

Paid

☐

Due

☐

IFP

☒

IFP Pending

☐

U.S.

☐

Waived

☐

Has Docketing Statement been filed with the District Court Clerk's Office?

Yes

☐

No

☒

If State/Federal Habeas Corpus (28 USC 2254/28 USC 2255), was Certificate of Appealability:

Granted

☐

Denied

☐

Pending

☐

If Certificate of Appealability was granted or denied, date of order: _____

If defendant is in federal custody, please provide U.S. Marshall number (USM#): _____

IMPORTANT: THIS FORM IS TO ACCOMPANY THE SHORT RECORD SENT TO THE CLERK OF THE U.S. COURT OF APPEALS PURSUANT TO CIRCUIT RULE 3(A). Rev 04/01

Additional Counsel

PETITIONER'S COUNSEL		RESPONDENT'S COUNSEL	
Name		Name	
Firm		Firm	
Address		Address	
Phone		Phone	

PETITIONER'S COUNSEL		RESPONDENT'S COUNSEL	
Name		Name	
Firm		Firm	
Address		Address	
Phone		Phone	

PETITIONER'S COUNSEL		RESPONDENT'S COUNSEL	
Name		Name	
Firm		Firm	
Address		Address	
Phone		Phone	

PETITIONER'S COUNSEL		RESPONDENT'S COUNSEL	
Name		Name	
Firm		Firm	
Address		Address	
Phone		Phone	

PETITIONER'S COUNSEL		RESPONDENT'S COUNSEL	
Name		Name	
Firm		Firm	
Address		Address	
Phone		Phone	

APPEAL, PC, SCHENKIER, TERMED

United States District Court
Northern District of Illinois – CM/ECF LIVE, Ver 3.2.1 (Chicago)
CIVIL DOCKET FOR CASE #: 1:08-cv-00778
Internal Use Only

Mays v. Clark et al
Assigned to: Honorable Robert W. Gettleman
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 02/29/2008
Date Terminated: 06/25/2008
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Maurice Mays

represented by **Maurice Mays**
#22209-424
Sandstone – FCI
P.O. Box 1000
Sandstone, MN 55072
PRO SE

V.

Defendant

Jason Clark
Chicago Police Officer

represented by **Thomas Joseph Platt**
City of Chicago, Department of Law
30 North LaSalle Street Suite 1400
Chicago, IL 60602
(312) 744-4833
Fax: 312-7446566
Email: tjplatt@cityofchicago.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Helen Catherine Gibbons
City of Chicago (30 N LS)
30 North LaSalle Street
Chicago, IL 60602
312 744 5100
Email: helen.gibbons@cityofchicago.org
ATTORNEY TO BE NOTICED

Thomas Jon Aumann
City of Chicago
30 North LaSalle St., Suite 1020
Chicago, IL 60602
(312) 744-1566
Fax: (312) 744-3989
Email: thomas.aumann@cityofchicago.org
ATTORNEY TO BE NOTICED

Defendant

Other later named officers

Defendant

City of Chicago

represented by **Helen Catherine Gibbons**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Peter A Ahmadian
City of Chicago

30 N. LaSalle Street
 700
 Chicago, IL 60602
 (312) 744-3326
 Email: pahmadian@cityofchicago.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Thomas Jon Aumann
 (See above for address)
ATTORNEY TO BE NOTICED

Service List

represented by **Prisoner Correspondence – Internal Use Only**
 Email: Prison1_ILND@ilnd.uscourts.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/05/2008	<u>1</u>	RECEIVED Complaint and no copies by Maurice Mays. (gmr,) (Entered: 02/06/2008)
02/05/2008	<u>2</u>	CIVIL Cover Sheet. (gmr,) (Entered: 02/06/2008)
02/05/2008	<u>3</u>	APPLICATION by Plaintiff Maurice Mays to proceed without prepayment of fees and affidavit. (gmr,) (Entered: 02/06/2008)
02/05/2008	<u>4</u>	POST MARKED envelope for initiating document by Maurice Mays (Document not scanned) (aew,) (Entered: 02/08/2008)
02/29/2008	<u>5</u>	MINUTE entry before Judge Robert W. Gettleman :Plaintiffs motion for leave to file in forma pauperis <u>3</u> is granted. The Court orders the trust fund officer at Plaintiffs current place of incarceration to deduct \$ 10.00 from Plaintiffs account for payment to the Clerk of Court as an initial partial filing fee. The Clerk shall send a copy of this order to the trust fund officer at Sandstone-FCI. The Clerk shall issue summonses and attach a Magistrate Judge Consent Form to the summons for each defendant, and send Plaintiff said Form and Instructions for Submitting Documents along with a copy of this order. Mailed notice (ef,) (Entered: 03/04/2008)
02/29/2008	<u>6</u>	COMPLAINT filed by Maurice Mays. (ef,) (Entered: 03/04/2008)
03/04/2008		SUMMONS Issued by U.S. Marshal Service as to Defendants Jason Clark, City of Chicago; 2 certified copies of order dated 2/29/2008, 2 complaints. (ef,) (Entered: 03/04/2008)
03/04/2008		MAILED copy of order <u>5</u> to Trust Fund Officer at Sandstone – FCI. (ef,) (Entered: 03/04/2008)
03/04/2008		MAILED copy of order <u>5</u> , Magistrate Judge Consent Form and Instructions for Submitting Documents to plaintiff. (ef,) (Entered: 03/04/2008)
03/18/2008	<u>7</u>	(Court only) INMATE Installment Payment in the amount of \$ 12.15 paid on 3/18/08, receipt number 10914562. (rp,) (Entered: 03/21/2008)
03/19/2008	<u>8</u>	SUMMONS Returned Executed by the U.S. Marshals Service as to City of Chicago on 3/10/2008, answer due 3/31/2008. (rp,) (Entered: 03/21/2008)
03/19/2008	<u>9</u>	SUMMONS Returned Executed by U.S. Marshals Service as to Jason Clark on 3/10/2008, answer due 3/31/2008. (rp,) (Entered: 03/21/2008)
03/24/2008	<u>10</u>	MOTION by Plaintiff Maurice Mays for court to provide him with legal representation. (rbf,) (Entered: 03/27/2008)
04/04/2008	<u>11</u>	ATTORNEY Appearance for Defendant City of Chicago by Peter A Ahmadian (Ahmadian, Peter) (Entered: 04/04/2008)
04/04/2008	<u>12</u>	MOTION by Defendant City of Chicago for extension of time to file answer (Ahmadian, Peter) (Entered: 04/04/2008)

04/04/2008	<u>13</u>	NOTICE of Motion by Peter A Ahmadian for presentment of motion for extension of time to file answer <u>12</u> before Honorable Robert W. Gettleman on 4/16/2008 at 09:15 AM. (Ahmadian, Peter) (Entered: 04/04/2008)
04/11/2008	<u>14</u>	MINUTE entry before Judge Honorable Robert W. Gettleman: Motion <u>12</u> of defendant City of Chicago for an extension of time to 5/5/2008 to answer or otherwise pleadis granted. Mailed notice (cdy,) (Entered: 04/14/2008)
04/21/2008	<u>15</u>	MINUTE entry before Judge Honorable Robert W. Gettleman: The Court denies Plaintiff's motion for appointment of counsel <u>10</u> without prejudice for failure to make a showing that he "has made reasonable efforts to retain counsel and was unsuccessful or that the indigent was effectively precluded from making such efforts." Gil v. Reed, 381 F.3d 649, 656 (7th Cir. 2004), quoting Jacksonv. County of McLean, 953 F.2d 1070, 1072 (7th Cir. 1992). Mailed notice (hp,) (Entered: 04/22/2008)
05/05/2008	<u>16</u>	ATTORNEY Appearance for Defendant City of Chicago by Helen Catherine Gibbons (Gibbons, Helen) (Entered: 05/05/2008)
05/05/2008	<u>17</u>	MOTION by Defendant City of Chicago to dismiss (Attachments: # <u>1</u> Exhibit A)(Ahmadian, Peter) (Entered: 05/05/2008)
05/05/2008	<u>18</u>	NOTICE of Motion by Peter A Ahmadian for presentment of motion to dismiss <u>17</u> before Honorable Robert W. Gettleman on 5/8/2008 at 09:15 AM. (Ahmadian, Peter) (Entered: 05/05/2008)
05/06/2008	<u>19</u>	ATTORNEY Appearance for Defendant City of Chicago by Thomas Jon Aumann (Aumann, Thomas) (Entered: 05/06/2008)
05/07/2008	<u>20</u>	ATTORNEY Appearance for Defendant Jason Clark by Thomas Joseph Platt (Platt, Thomas) (Entered: 05/07/2008)
05/13/2008	<u>21</u>	MINUTE entry before Judge Honorable Robert W. Gettleman: Response to defendant City of Chicago's motion to dismiss is due by 6/13/2008. Reply is due by 6/27/2008. Status hearing set for 8/7/2008 at 09:00 a.m. Telephone notice (gds,) (Entered: 05/13/2008)
05/19/2008	<u>22</u>	MOTION by Plaintiff Maurice Mays for production of Court Records and Stay of Proceedings. (gcy,) (Entered: 05/22/2008)
05/27/2008	<u>23</u>	ATTORNEY Appearance for Defendant Jason Clark by Thomas Jon Aumann (Aumann, Thomas) (Entered: 05/27/2008)
05/27/2008	<u>24</u>	ATTORNEY Appearance for Defendant Jason Clark by Helen Catherine Gibbons (Gibbons, Helen) (Entered: 05/27/2008)
06/25/2008	<u>25</u>	MINUTE entry before the Honorable Robert W. Gettleman: The City of Chicago's motion to dismiss is granted. Because the claims against Officer Clark are also time barred, the entire complaint is dismissed. Mailed notice (kj,) (Entered: 06/30/2008)
06/25/2008	<u>26</u>	ENTERED JUDGMENT.(kj,) (Entered: 06/30/2008)
07/08/2008	<u>27</u>	(Court only) INMATE Installment Payment in the amount of \$ 13.03 paid on 7/8/08, receipt number 4624005465. (kj,) (Entered: 07/08/2008)
07/24/2008	<u>28</u>	MOTION by Plaintiff Maurice Mays for leave to appeal in forma pauperis. (air,) (Entered: 07/25/2008)
07/24/2008	<u>29</u>	NOTICE of appeal by Maurice Mays, ifp granted. (air,) Modified on 7/25/2008 (air,). (Entered: 07/25/2008)
07/25/2008	<u>30</u>	NOTICE of Correction regarding notice of appeal <u>29</u> . (air,) (Entered: 07/25/2008)